



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

DEC 22 2008

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In Reply Refer To:
ER 08/854

Memorandum

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director *Willie R. Taylor*
Office of Environmental Policy and Compliance

Subject: Fiscal Year 2008 Departmental Summary Report on Bureau Environmental Auditing Programs and Activities

The Department's mission is complex, multi-faceted, and challenging. We provide recreation opportunities, access to resources and protect some of the Nation's most significant cultural, historic, and natural places. We serve communities and fulfill our trust and other responsibilities to American Indians, Alaska Natives, and the Nation's affiliated island communities. As the Nation's premier conservation agency, our responsibility to leave a legacy of healthy lands and waters, thriving communities, and dynamic economies depends upon our compliance with environmental laws and regulations. We accomplish this with the help of our 73,000 employees, 280,000 volunteers, and thousands of partners. Behind all of the Department's programs rests a management foundation that is vital to the accomplishment of our mission.

The Department continues to support the President's Management Agenda that builds on a foundation for management excellence. As part of the President's Management Agenda, the President's Management Council directed all Federal agencies to improve their overall environmental compliance and performance through implementation of environmental management systems (EMS). The EMS are a set of processes and practices that enable an organization to reduce environmental impacts and increase operating efficiency. It consolidates various environmental requirements and other activities or initiatives. Environmental auditing was specifically targeted for management improvement of the Department's environmental compliance and performance. Since environmental compliance serves as the foundation for a successful EMS program, environmental auditing was incorporated into all bureau and office EMS efforts. Furthermore, environmental compliance remains a high priority for the Department.

For FY 2008, bureaus and offices reported a total of 2,490 facilities, with a total of 585 environmental audits completed and a total of 5,022 environmental audit findings as shown in Table 1 in the attachment. (An environmental audit finding is a statement of conditions identified at the time the environmental audit is performed requiring a response in accordance

with environmental audit protocols and applicable legal requirements). A total of 1,872 environmental audit findings were corrected in FY 2008 and a cumulative total of 4,635 environmental audits have been completed to date (all-years). For FY 2008, the average number of findings per audit Department-wide was 8.58 (range 0.83 – 9.20).

The Office of Environmental Policy and Compliance examined trends from a comparison of the total number of environmental audit findings corrected and the total number of audit findings reported for FY 2004 through 2008, when this data was available. (See Figure 1 in the attachment). The highest risk audit issues identified were for chemical and fuel storage, drinking water systems, hazard communication, managing hazardous materials, spill control, and waste management principally due to three root causes: (1) lack of employee training, (2) insufficient resources for environmental compliance, and (3) insufficient management/leadership support. Furthermore, as shown in Figure 2 in the attachment, analysis revealed that these three root causes identified during the period FY 2004 through FY 2008 continue to remain problematic and impact Departmental leadership. This is especially significant in the case of lack of employee training.

Executive Order (E.O.) 13423 of January 24, 2007, sets broad goals to strengthen environmental, energy, and transportation management across Federal agencies. It combines multiple previously issued E.O.'s into one and requires Federal agencies to implement EMS at all appropriate organizational levels. The E.O. requires the use of EMS as the primary management approach for addressing environmental aspects of internal agency operations and activities, including energy and transportation functions. EMS will clearly identify training needs, clarify and streamline processes, and reduce audit findings.

The Department is fully committed to reduce adverse environmental impacts to public lands and natural resources and to enhance compliance. The Associate Deputy Secretary's memorandum of September 5, 2009, entitled "Improving Environmental Compliance and Performance Through Environmental Management Systems" directs senior Departmental leadership to improve environmental compliance and performance through the implementation of EMS (see attachment). Thus, we encourage Assistant Secretaries and Heads of bureaus and offices to take the following actions: (1) ensure commitment of their managers to environmental compliance, (2) ensure commitment of necessary resources to correct non-compliance issues, and (3) provide environmental compliance training for staff across all bureaus and offices. Finally, environmental auditing is currently tracked as a performance element on the Department's Organizational Assessment toward management excellence. Our role as the Nation's premier conservation agency requires that we exercise leadership across the Department to ensure overall compliance with regulatory requirements.

If you have any questions, please contact Jim Ortiz, of my office at 202-208-7553.

Attachments

cc: Solicitor
Assistant Secretaries
Deputy Assistant Secretary – P&PM
REOs
HazMat Contacts

ATTACHMENTS

Table 1: Bureau Summary of Environmental Auditing Programs and Activities for Fiscal Year 2008

Bureau	Number of Facilities Reported in FY 2008	Number of Environmental Audits Performed in FY 2008	Number of Environmental Audit Findings Reported in FY 2008	Number of Findings per Audit (normalized)	Number of Environmental Audit Findings Corrected in FY 2008	Number of Environmental Audit Findings Corrected in FY 2007	Cumulative Audits Performed (all-years)****
BIA	74	74	681	9.20 (681/74 = 9.20)	1	Not Available	411
BLM*	120	31	1,233	39.77 (1,233/31 = 39.77)	1,286	1,113	377
BOR	444	41	245	5.97 (245/41 = 5.97)	25	71	313
FWS	880	254	853	3.35 (853/254 = 3.35)	374	235	2,333
MMS**	-	-	-	-	-	-	-
NBC	6	3	10	3.33 (10/3 = 3.33)	8	70	6
NPS***	391	48	1,888	3.93 (1,888/48 = 3.93)	92	718	703
OSM**	-	-	-	-	-	-	-
USGS	575	134	112	0.83 (112/134 = 0.83)	86	50	492
DOI Total	2,490	585	5,022	8.58 (5,022/585 = 8.58)	1,872	2,257	4,635

- Notes:**
- 1.*BLM uses the term "organizational units" and not facilities.
 - 2.**MMS and OSM occupy primarily GSA-leased space.
 - 3.***NPS: Some audits were begun in FY 2008 but will not be finalized until FY 2009.
 - 4.****FY 1999 through FY 2008.

Figure 1. Total Number of DOI Audit Findings vs. Total Number of Audit Findings Corrected for Fiscal Years 2004 - 2008

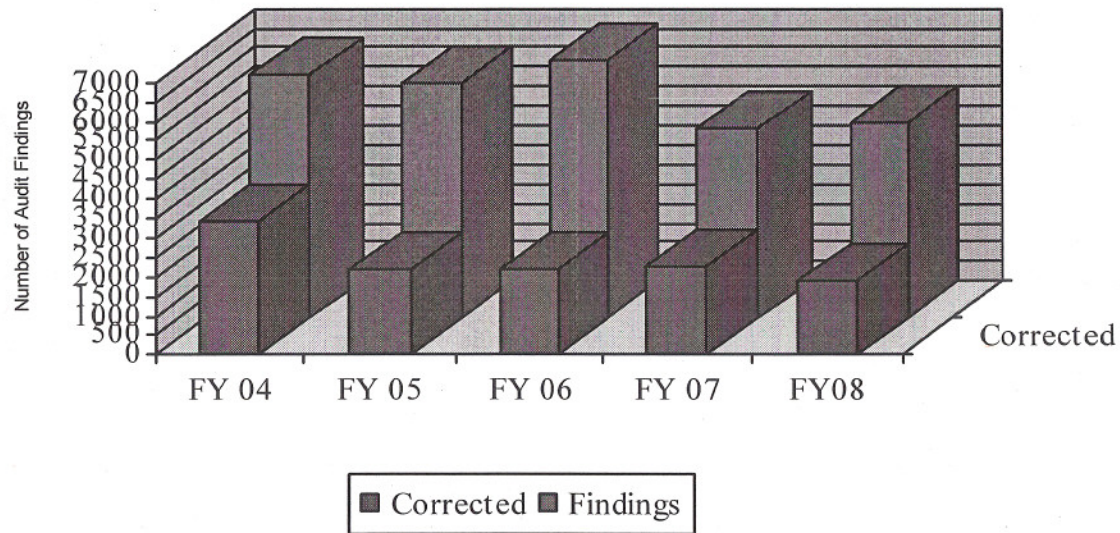
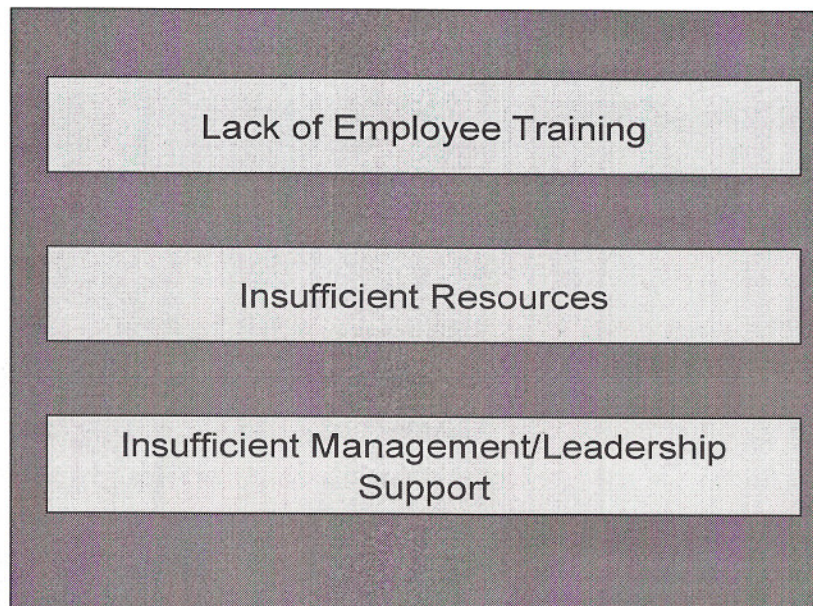


Figure 2. Root Causes of High Risk Environmental Auditing Issues Impacting Departmental Leadership for FY 2004 - FY 2008

Three Root Causes



Recommendations

- Ensure commitment by DOI managers to environmental compliance.
- Ensure commitment of necessary resources to correct non-compliance issues.
- Provide environmental compliance training across all Bureaus and Offices.

* Majority of high risk environmental, safety, and health findings were found in spill control, drinking water systems, waste management, and hazard communication.



THE ASSOCIATE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

SEP 5 2008

Memorandum

To: Solicitor
Inspector General
Assistant Secretaries
Heads of Bureaus and Offices

From: James E. Cason *James E Cason*
Associate Deputy Secretary

Subject: Improving Environmental Compliance and Performance Through
Environmental Management Systems

(Reply Due: January 2, 2009)

The Department of the Interior is fully committed to reducing adverse environmental impacts to public lands and natural resources and to improve overall environmental compliance and performance. In order to achieve this commitment, the Department and its bureaus and offices must comply with applicable environmental laws and regulations and the requirements of Executive Order 13423, "Strengthening Federal Environmental, Energy, and Transportation Management." This EO requires Federal agencies to implement Environmental Management Systems at all appropriate organizational levels to ensure the use of EMS as the primary management approach for addressing environmental aspects of internal agency operations and activities. The Department's new EMS policy (515DM 4), issued on August 13, 2008, states that compliance is a key function of EMS (see attachment).

The EMS is a planning tool that helps an organization achieve and maintain environmental compliance obligations and broaden its environmental performance goals by properly managing operations and activities. It links existing and new organizational responsibilities, programs, and activities to identify and address environmental impacts of our activities, ensure compliance with regulatory requirements, and provide opportunities for continuous improvement and innovation, thus promoting effective and efficient Government-wide operations. Through a process of continuous improvement, the EMS encourages ways to be innovative, adaptive, and flexible in sustaining a healthy environment.

In order to improve our overall environmental compliance and performance, I am directing that departmental bureaus and offices implement EMS at appropriate organizational levels (e.g., Headquarters, regional, office, facility) based upon their mission needs. I expect the Department, as the Nation's premier conservation agency, to lead by example, and I am pleased that many of our bureaus and offices are already implementing EMS.

Bureau and office Senior-level Officials were designated by the Heads of each bureau and office to be responsible for implementing EO 13423 within their respective bureau or office. It is, therefore, the responsibility of each bureau and office Senior-level Official to ensure that the bureau or office EMS directive or policy conforms to the new departmental EMS policy. I am requesting that all bureau and office EMS directives or policies be updated to reflect the new departmental EMS policy no later than **January 2, 2009**.

The Department EMS Council was established to aid in Department-wide EMS implementation. The EMS Council is chaired by the Office of Environmental Policy and Compliance. The OEPC can assist bureaus and offices in this endeavor and other areas as well. Should you have any questions, please contact Mr. Willie Taylor at 202-208-3891.

Attachment

cc: Deputy Secretary
Senior Advisor
Deputy Assistant Secretary - Policy & International Affairs
Bureau and Office Senior-level Officials